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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,843

03/01/2007

Tsutomu Ikeda

06101

2009

23338 7590 01/24/2011  
DENNISON, SCHULTZ & MACDONALD  
1727 KING STREET  
SUITE 105  
ALEXANDRIA, VA 22314

EXAMINER

AURORA, REENA

ART UNIT

PAPER NUMBER

2858

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/587,843	IKEDA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Reena Aurora	2858	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 – 3, 5 – 14 and 18 – 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 – 3, 5 – 14 and 18 – 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This communication is in response to amendment received on 10/27/10.

Claims 1 – 3, 5 – 14 and 18 – 21 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 3, 5 – 14 and 18 – 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshikawa et al. (7,042,212).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

As to claims 1, 2 and 11 - 14, Yoshikawa et al. (hereinafter Yoshikawa) discloses a rotational angle sensor comprising a magnetic detector (80(1) and 80(2)) for detecting a rotational angle of a rotor based on a magnetic field generated between a

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pair of magnets (44, 45) respectively disposed across the rotational axis of the rotor (Note Abstract, 43) and having a connection terminal (42); a main terminal (50) having a connection portion connected with the connection terminal of the magnetic detector 80(1) and 80(2); and a holder (60) member for holding the magnetic detector 80(1) and 80(2) and the connection portion of the main terminal (50), wherein the magnetic detector 80(1) and 80(2), the main terminal (50) and the holder member (60) are structured as a sensor assembly, and wherein a potting material (113) is positioned in the holder member (60) so as to cover the magnetic detector 80(1) and 80(2) and the connection portion (47b, 78b, 50b and 51b) between the connection terminal (85, 86, 87) of the magnetic detector (80(1) and 80(2)) and the main terminal (50).

As to claim 3, Yoshikawa discloses that the holder member (60) is provided with a guiding portion (66, 68, 70) for guiding the magnetic detector (80(1) and 80(2)) to a predetermined assembled position (Fig. 10a, fig. 9(b), fig., 9(c) and col. 8, line 43 – col. 9, line 16).

As to claims 5 - 9, Yoshikawa discloses that the capacitor (101 - 104) as a preventive measure for discharge of positive charges, wherein the capacitor (101 - 104) is connected to the main terminal (90, 50) and covered with the potting material (113) (fig. 9b, col. 11, line 7 – col. 12, line 3).

As to claims 18 - 21, Yoshikawa discloses a rotational angle sensor comprising a magnetic detector (80(1) and 80(2)) having a connection terminal (42); at least one main terminal (50) connected with the connection terminal (42) of the magnetic detector (80(1) and 80(2)), the at least one main terminal (50) including a connection portion;

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and a holder member (60) for holding the magnetic detector (80(1) and 80(2)) and the connection portion of the respective main terminal (50), wherein the magnetic detector (80(1) and 80(2)), the main terminals (50) and the holder member (60) are formed into an assembly to be structured as a sensor assembly, further wherein a potting material (113) member is positioned within the holder member (60) to encapsulate at least the magnetic detector (80(1) and 80(2)).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 – 3, 5 – 14 and 18 – 21 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reena Aurora whose telephone number is 571-272-2263. The examiner can normally be reached on Monday - Friday, 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melissa Koval can be reached on 571-272-2121. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Reena Aurora  
/Reena Aurora/  
Primary Examiner, Art Unit 2858